

**What is a conditional use permit?**

A conditional use permit is a discretionary land use instrument which, under certain circumstances, may authorize a use that is normally not allowed in a particular zone based on a set of proper findings.

**How do I apply?**

Application forms and pertinent information can be obtained at the Community Development Department.

**How are conditional use permits granted?**

The deciding body may grant a conditional use permit if it makes the following findings:

- The proposed uses of the property are essential or desirable to the public convenience or welfare.
- The proposed uses will not impair the integrity and character of the zone.
- The proposed uses of the property are in harmony with the various elements or objectives of the general plan and the purpose of the Town Code Article 2, Division 3.
- A hazardous waste facility proposal is subject to the California Health and Safety Code, Article 8.7, Section 25199-25199.14 and shall be consistent with the Santa Clara County Hazardous Waste Management Plan

For further information, please contact the Community Development Department.

**What are some examples of conditions?**

In approving a Conditional Use Permit, the deciding body may include conditions as it deems reasonable and necessary under the circumstances to preserve the integrity and

character of the zone and to secure the general purpose of the Town Code and the General Plan. Such conditions, without limiting the discretion and authority of the deciding body, may include hours of operation limitations, architecture and site approval, street dedication, street and drainage improvements, and additional parking.

**What is the process?**

1. Talk to a planner at the Community Development Department about your project.
2. Submit a complete application.
3. Notice of public hearing is advertised and posted.
4. Development Review Committee (DRC) review the project at the hearing.
5. Notice of public hearing is advertised and posted (if the DRC certifies the project).
6. Planning Commission reviews the project at the hearing and makes the final decision.

**How do I appeal a decision?**

If you wish to appeal a decision of the Development Review Committee or the Planning Commission, you must file a written notice of appeal with the Town Clerk within 10 calendar days of the decision.

**How long is a Conditional Use Permit valid?**

Any approval granted by the Planning Commission automatically expires two (2) years from the date of approval unless the approval is used before the expiration.

If the approved use is discontinued for a period of one (1) year, the approval is null or void.

**APPLICATION CHECKLIST**

- ☐ Completed Application (all sections completed and signed).
- ☐ Hazardous Wastes and Substances Statement.
- ☐ Plans (7 copies, maximum 24 in. by 36 in. dimension).
- ☐ Fees (paid at the time the application is being filed).
- ☐ 2 copies of Chain of Title and copy of recorded document.
- ☐ 2 copies of Preliminary Title Report.
- ☐ Letter of Justification for Approval.
- ☐ Well Questionnaire (available from the Community Development Department).
- ☐ Photographs of site and existing development.
- ☐ Environmental Information Form.
- ☐ Structure Condition Report (required only when demolition of an existing residence).

**Other requirements?**

For Conditional Use Permit to sell beer and wine at service stations please refer to the Town Code Sec. 29.20.197.

For further information on topics such as public hearing process, fees, uses allowed, or conditions required, please contact the Community Development Department:

Town of Los Gatos  
Community Development Department  
110 East Main Street  
Los Gatos, 95032  
(408) 354-6874

[www.losgatosca.gov](http://www.losgatosca.gov)